

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA**

Angela Marie Hodges,)	
)	
Plaintiff)	Civil Action No. 2:22-4515-RMG
)	
vs.)	
)	
Meyer Enterprises, Inc.)	
)	ORDER
Defendant.)	
)	
)	
)	

This matter comes before the Court on the Report and Recommendation (“R & R”) of the Magistrate Judge recommending that an entry of default be set aside under the standards set forth in *Payne ex rel. Estate of Calzada v. Brake*, 439 F.3d 198-, 204-05 (4th Cir. 2006). (Dkt. No. 17). Plaintiff was advised of her right to file objections within 14 days of service of the R & R and that a failure to file written objections could result in limited review by the District Court and waiver of the right to appeal the judgment of the District Court. (*Id.* at 9). No timely objections were filed regarding the R & R of the Magistrate Judge.

The Court has reviewed the R & R of the Magistrate Judge, the record evidence and the relevant legal authorities. The Court finds that the Magistrate Judge ably summarized the factual and legal issues in this matter and correctly concluded that entry of default should be set aside. Therefore, the Court **ADOPTS** the R & R (Dkt. No. 17) as the order of the Court and **SETS ASIDE** the entry of default.

AND IT IS SO ORDERED.

s/ Richard Mark Gergel
United States District Judge

April 10, 2023
Charleston, South Carolina